

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KAREEM NISBETT,

Plaintiff,

-v-

BEES LIGHTING,

Defendant.

21 Civ. 3374 (PAE)

ORDER

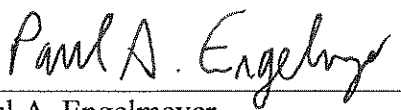
PAUL A. ENGELMAYER, District Judge:

On January 30, 2023, the Court ordered plaintiff to show cause, by February 10, 2023, why the above-captioned action should not be dismissed for failure to prosecute, pursuant to Rule 41 of the Federal Rules of Civil Procedure. Dkt. 6. The Court noted that plaintiff may show cause by properly submitting a motion for default judgment, pursuant to the Court's Individual Rules, and that failure to submit a timely and proper motion for default judgment would result in dismissal without prejudice of this case. *Id.*

On February 10, 2023, plaintiff obtained a Certificate of Default as to defendant. Dkt. 12. That day, the Court granted plaintiff a 30-day extension to contact defendant or, if such efforts were unsuccessful, file a motion for default judgment. Dkt. 13. Since then, defendant has not appeared in this action or otherwise responded to the complaint, and plaintiff has taken no steps to move for default judgment. Accordingly, under Rule 41(b) and the Court's inherent power, *see Link v. Wabash R.R. Co.*, 370 U.S. 626, 630–32 (1962), the Court hereby dismisses this case, without prejudice, for the plaintiff's failure to prosecute.

The Clerk of Court is respectfully directed to close this case.

SO ORDERED.



Paul A. Engelmayer
United States District Judge

Dated: June 29, 2023
New York, New York